THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.27819 of 2005

Dated: 28-12-2005

Between:

The APGENCO Diploma Engineers Association and others.

.. PETITIONERS

AND

The APGENCO, Managing Director, Vidyut Soudha,

Hyderabad and others.

.. RESPONDENTS

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ORDER:

The first petitioner is an association of Diploma Engineers employed in the APGENCO and petitioners 2 to 10 are its members. They challenge the orders passed by the first respondent in G.O.O.No.305/CGM(Adm.)/2005, dated 07-11-2005. Through the impugned order, the first respondent cancelled another order passed on the same day.

The petitioners contend that the matter of fixation of the ratio between Diploma Engineers on the one hand and the Graduate Engineers on the other hand has been pending ever since the bifurcation of the erstwhile Electricity Board and after prolonged consultations and study by the Administrative Staff College, the first respondent issued G.O.O.No.300/CGM(Adm.)/2005, dated 07-11-2005, stipulating the ratio at 3:2 between the said two categories. They plead that even before the order fixing the ratio was made known to the concerned persons, the impugned order was passed cancelling it.

Heard the learned counsel for the petitioners and the learned Standing Counsel for

the respondents.

There appears to be some confusion or communication gap in the office of the first respondent in the matter of determining issue of fixation of ratio between the two categories of Engineers, referred to above. A perusal of the orders in G.O.O.No.300, dated 07-11-2005, discloses that the matter was considered at length and the ratio at 3:2 was fixed. Even before the ink on the said order has dried, the first respondent issued the impugned order on the same day cancelling G.O.O.No.300, dated 07-11-2005. No reasons are stated whatsoever.

But, for the fact that the order in G.O.O.No.300, dated 07-11-2005, did not give rise to any rights in favour of individuals of associations, this court would have considered the feasibility of requiring the first respondent to narrate the circumstances that led to passing of the impugned order. Since, the first respondent passed the impugned order before any rights have accrued in favour of any individuals, it has to be inferred that he felt the necessity of examining the matter further.

Having regard to the facts and circumstances of the case, the writ petition is disposed of, directing the first respondent to examine and consider the entire issue afresh and pass appropriate orders in the matter of fixation of ratio between the Diploma Engineers and Graduate Engineers, before any appointments are undertaken to that category of posts. No order as to costs.

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28-12-2005

Prv